

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07729

Priority: June 14, 1983

Maximum Diversion Rate:

0.18 CFS

Maximum Diversion Volume:

31.5 AF

This is to certify, that IRVIN L SPRAKER

745 N OLD HW 91

INKOM ID 83245

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 14, 1983; and has submitted Proof of Beneficial Use on March 29, 1990. An examination indicates that the works have a diversion capacity of 0.370 cfs of water from:

PORTNEUF RIVER

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.18 CFS	31.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 34, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	36E	34	SENE	9		9

Total number of acres irrigated: 9

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 29.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

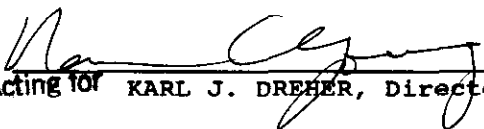
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-07729

CONDITIONS OF APPROVAL AND REMARKS

7. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 4TH day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

FEB 10 1998

Form 212
03/88

1301 N. Inland St
RECEIVED

MAR 29 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 50.00
Date 3/29/90
Receipt # CD1600
Receipt by C Wong
Reviewed by _____
Sent to region _____

Department of Water Resources

PROOF OF BENEFICIAL USE

30

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-7729

Name(s) of Permit Holder: IRVIN L SPRAKER / ORA D. SPRAKER ✓

Post Office Address: 729 N. Old Hwy 91 Inkom, Idaho ✓
83245 Telephone No. 775-3410

Source of Water: PORTNEUE RIVER ✓

Extent of Use: - I have purchased \$2,100 worth of Pipe & pump to
sprinkle the land.
Domestic 0 (number of households) Stockwater 0 (number and type of stock)

Irrigation 9 (acres) Other/Remark I had filed for 14
acres but I did not purchase the additional 5 acres from
my neighbor - I now farm only 9 acres.

Total rate and/or volume for which proof is submitted .18 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 26 JUNE 1982 ✓

Measuring Device: Required? Yes ✓ No
Installed? Yes ✓ No
Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes ✓ No
Installed? Yes ✓ No

Person to contact to accompany the Department representative during the field examination:
IRVIN L. SPRAKER OR KEVIN SPRAKER 775-3410

(Name) 729 N. Old Hwy 91 (Telephone Number) 775-3410
Inkom, Idaho 83245 (Address) (Kevin can also be
contacted at Pocatello
Regional Medical Center (Pediatrics))

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 19 1990

3/26/90 Irvin L Spraker
Date Signature of Permit Holder (and title, if appropriate)

Note - I sent a similar form to IDWR on 18 March 1989
It was a Form A or Form B.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Irvin L. Spraker Phone 775-3410

Post office address Inkom, ID 83245

2. Source of water supply Portneuf River which is a tributary of Snake River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 7S

Range 36E B.M. Bannock County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .2 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .2 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Portable pump to sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year maximum 5 years)

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water. $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED
AUG 17 1989

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	36E	35							5										5
		34				9													9

Total number of acres to be irrigated 14

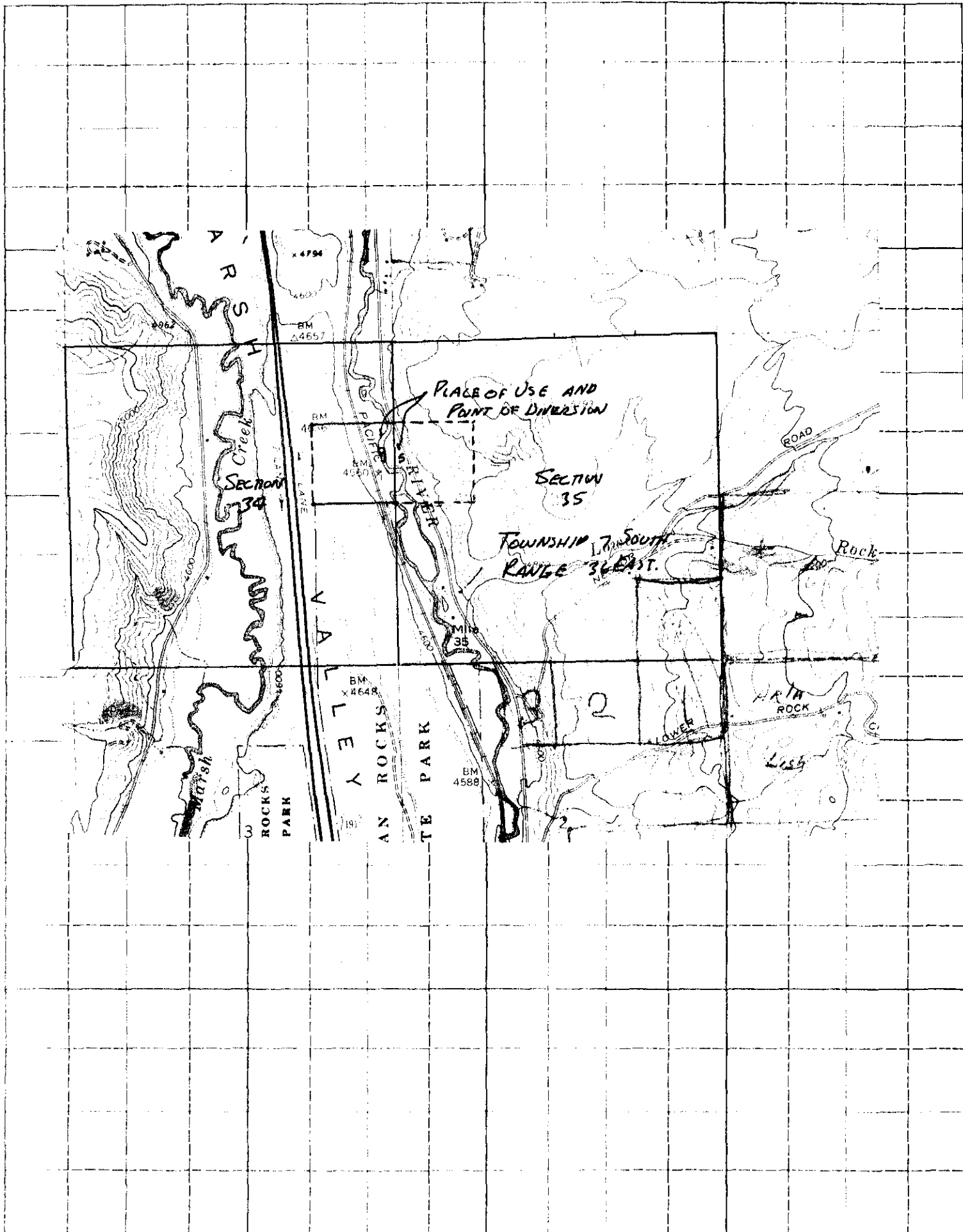
c. Describe any other water rights used for the same purposes as described above. License No. 29-7209, Amount: .02 cfs Priority: 7-29-1974

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

RECEIVED
AUG 17 1989

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

AUG 17 1989

Ivin L. Graham
(Applicant)

Received by Sm Date 6/14/83 Time 4:00pmPreliminary check by KCW Fee \$ 30.00Received by BP Date 6/14/83 # 30867Publication prepared by RB Date 6-6-89Published in Idaho State JournalPublication dates 6-15 & 22, 89Publication approved EW Date 7-05-89Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by HKS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7729, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 91.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

Use of water under this permit is subject to control by the watermaster of State Water District No. 29, Portneuf River.

Witness my hand this 20th day of July, 1989.

RECORDED

AUG 17 1989

J. Glen Saylor

DATE OF IRRIGATION
Date Filed: 4-27-1983
In: T06S R34E S23 NWNW SESW
S35 NESE
S36 NESW NWSW
T07S R34E S01 NWNE SWNE
NENW NESE
40.0 ACRES TOTAL

29-07705

DAVIS, GLADE H.
DAVIS, JANE P.
RT. 1,

DOWNEY, ID 83234

Source: SPRING

Tributary: SINKS

Diversion Pt:

NWNE Sec 34 T 11S R 36E

Use: IRRIGATION (.120 CFS)

STOCKWATER (.030 CFS)

Date Filed: 5-16-1983

In: T11S R36E S34 NWNE

4.0 ACRES TOTAL

29-07706

HATHAWAY, KENNETH

4330 BANNOCK HWY.

POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt:

LOT 2 (SWNW) Sec 7 T 07S R 35E

Use: IRRIGATION (.100 CFS)

Date Filed: 5-09-1983

In: T07S R35E S07 SWNW

5.0 ACRES TOTAL

29-07712

BANNOCK COUNTY

P.O. BOX 4777

POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt:

SWNW Sec 12 T 06S R 34E

Use: IRRIGATION (.080 CFS)

DOMESTIC (.080 CFS)

RECREATION (.080 CFS)

FIRE PROTECTION (.080 CFS)

Date Filed: 5-19-1983

In: T06S R34E S12 SWNW SENW

NESW NWSW

4.0 ACRES TOTAL

29-07729

SPRAKER, IRVIN L.

INKOM, ID 83245

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

Diversion Pt:

SENE Sec 34 T 07S R 36E

Use: IRRIGATION (.200 CFS)

Date Filed: 6-14-1983

In: T07S R36E S34 SENE

S35 SWNW

14.0 ACRES TOTAL

29-07730

FUHRMAN RANCH, INC.

BOX 103

DOWNEY, ID 83423

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

Diversion Pt:

SWNE Sec 11 T 11S R 36E

Use: IRRIGATION (.760 CFS)

Date Filed: 6-13-1983

In: T11S R36E S11 NWNE SENW

38.0 ACRES TOTAL

29-07731

FUHRMAN RANCH, INC.

BOX 103

DOWNEY, ID 83234

Source: GROUNDWATER

Diversion Pt:

SESE Sec 35 T 10S R 36E

Use: IRRIGATION (3.750 CFS)

Date Filed: 6-13-1983

In: T10S R36E S35 NESE NWSE

SWSE SESE

T11S R36E S02 NENE NWNE SWNE

SENE

NWSE

288.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JULY 3, 1989.

S/R. Keith Higginson, Director

June 15, 22, 1989

No. 157

OF OF PUBLICATION

Sandra K. Wann

Dep. _____
Eastern District Office

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>15 June</u>	<u>1989</u>	<u>19</u>
<u>22 June</u>	<u>19 89</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 22nd day of June in the year of 1989, before me,
a Notary Public, personally appeared Sandra K. Wann,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

John L. L...
Notary Public for Idaho
Residing at Pocatello
My commission expires: July, 1991

MICROFILMED

AUG 17 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 5, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IRVIN L SPRAKER
745 N OLD HW 91
INKOM ID 83245

RE: WATER RIGHT NO. 29-07729

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

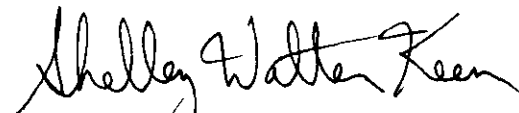
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 29-07729

IRVIN L SPRAKER
745 N OLD HW 91
INKOM ID 83245


Kari Lynn Townsend
Secretary

FILED
FEB 16 1998

MEMORANDUM

TO: File 29-07729

FROM: Sharla

DATE: January 27, 1998

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 29-07729 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T7S, R36E, S34 - SENE (9 acres)

H. RECOMMENDATIONS

Irrigation	4/15 - 10/15	0.18 cfs	31.5 afa
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As described by the examiner, development of the 5 acre parcel occurred after proof of beneficial use was filed; I spoke with Skip Jones (Eastern) on 1/21 and he agreed that the five acre parcel should not be included with this license. The rate and volume have been adjusted accordingly.

Examiner: Steven Garrison

Exam Date: July 30, 1996

REC 18 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 29-07729

DATE 11/18/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change OK

Is change clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .20 cfs

Fee limit .20 cfs \$50.00

Measured — cfs

Theoretical .37 cfs

Recommended Total Div Rate .18 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use rr. cfs .18 Volume Calc 9 X 3.5 = af

#ac. verified w/ overlay grid

— af

— af

— af

SUBTOTAL .18 31.5 af

Flow rate .18 cfs X 154 days X 1.98 = 65.6 af

Total volume recommended 31.5 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS K04 Watermaster Control WD# 29

R63 GW Measurement/Measuring Device

R63 Overlap

— Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed NA

Adjustment Memo —

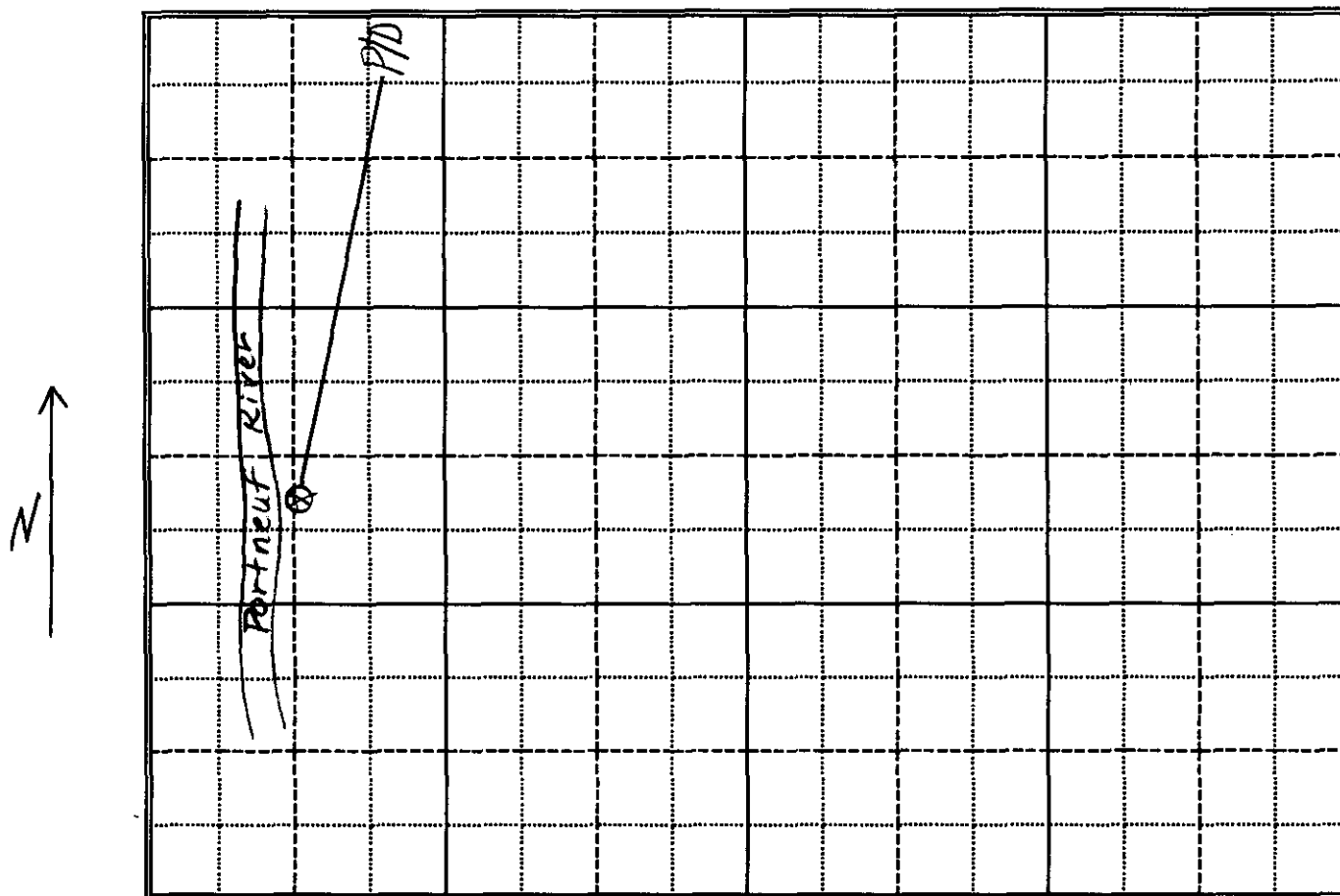
1st Amend Letter NA

2nd Amend Letter NA

#ac. /rak/vol
spoke w/ skip
1/21 agrees 5 ac.
cant be incl.

FEB 10 1958

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	—	5	—	Berkeley Pumps	L 3546

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot/Pressure Gauge					0-60	

2. Measurements: Operating PSI = 33

FEB 16 1953

E. NARRATIVE/REMARKS/COMMENTS

Mr. Spraker's original application for permit listed 14 acres for irrigation. He listed a 9 acre parcel and a 5 acre parcel. When he submitted his Proof of Beneficial Use, he indicated that he could not purchase the additional 5 acre parcel because seller had reconsidered and decided not to sell. However, seller decided to sell after proof was submitted. Mr. Spraker does own the 5 acre parcel indicated on original Application for Permit. Conveyance and diversion works in place to irrigate 14 acres. Original Application for Permit requested 0.2 CFS; Proof of Beneficial Use requested 0.18 CFS. Since \$50 fee covers up to 0.2 CFS; recommend he is given 0.2 CFS. Theoretical capacity 0.37 CFS.

License 29-07209 in 07S.36E Sec. 35 SWNW 1 ac.
29-07209 in 07S.36E Sec. 34 SENE 4 ac.
unnamed spring.

for Q Theoretical: $HP = 5$
 $PSI = 33$
 $Eff = 70\%$

Have conditions of permit approval been met? ☒ yes ☐ no

RECEIVED
FEB 16 1985

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$Q_{Theor} = \frac{5HP(8.814) \cdot 7\%}{8' \text{ Lift} + (33 \text{ PSI} \times 2.308)} = 0.37 \text{ CFS}$$

$Q_{Limited}$ by 0.02 CFS/ac to 0.28 CFS

G. VOLUME CALCULATIONS

Limited by Permit to 0.20 CFS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 14 \times 3.5 = 49 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.20(183)1.9835 = 73 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 49 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15	0.20 CFS	49 AFA
Totals:			0.20 CFS	49 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other

I. AUTHENTICATION

Field Examiner's Name Steven Garrison Date 30 JUL 96

Reviewer _____ Date _____

SEAL

FEB 10 1998

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 5
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 8 ft.
Assumed Draw down = + 0 ft.
Lift = 8

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 33 psi

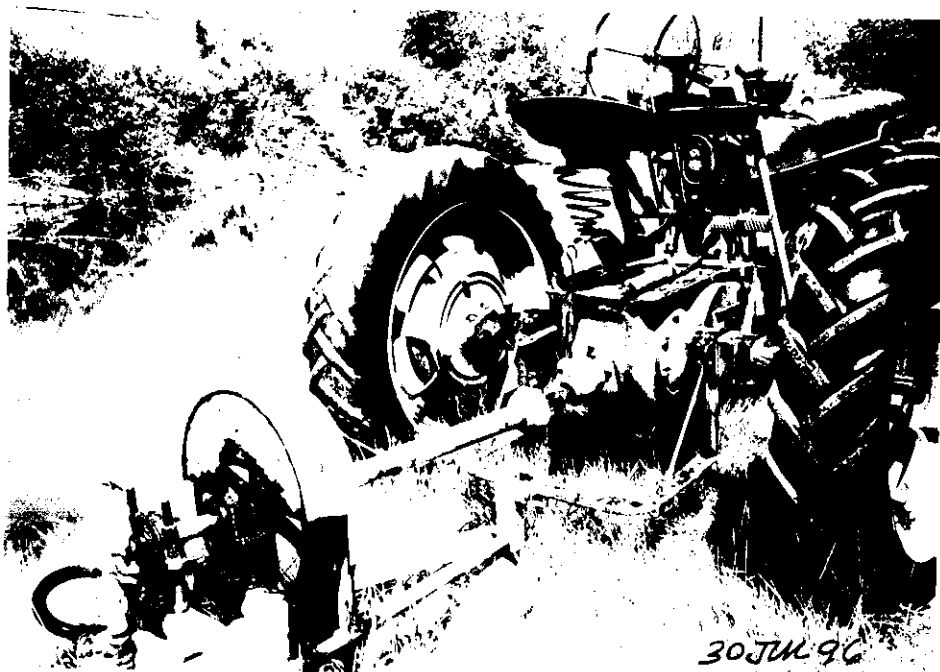
$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{8}{Lift} + \left(\frac{33}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{30.849}{ } \right] \div \left[\frac{84.164}{ } \right]$$

$$Q_{cfs} = \underline{0.37} \text{ cfs}$$

REC-100

PERMIT NO. 29-7729



Examiner: Steven Garrison



29-7729

7-830E

T R 36 E

Place of Use
4-4

Point of Diversion

See
I9-D

13.8

25.4

14
4.8

9.4

4 12/6

23.4

2 HEL
83

B91
A250 LSH

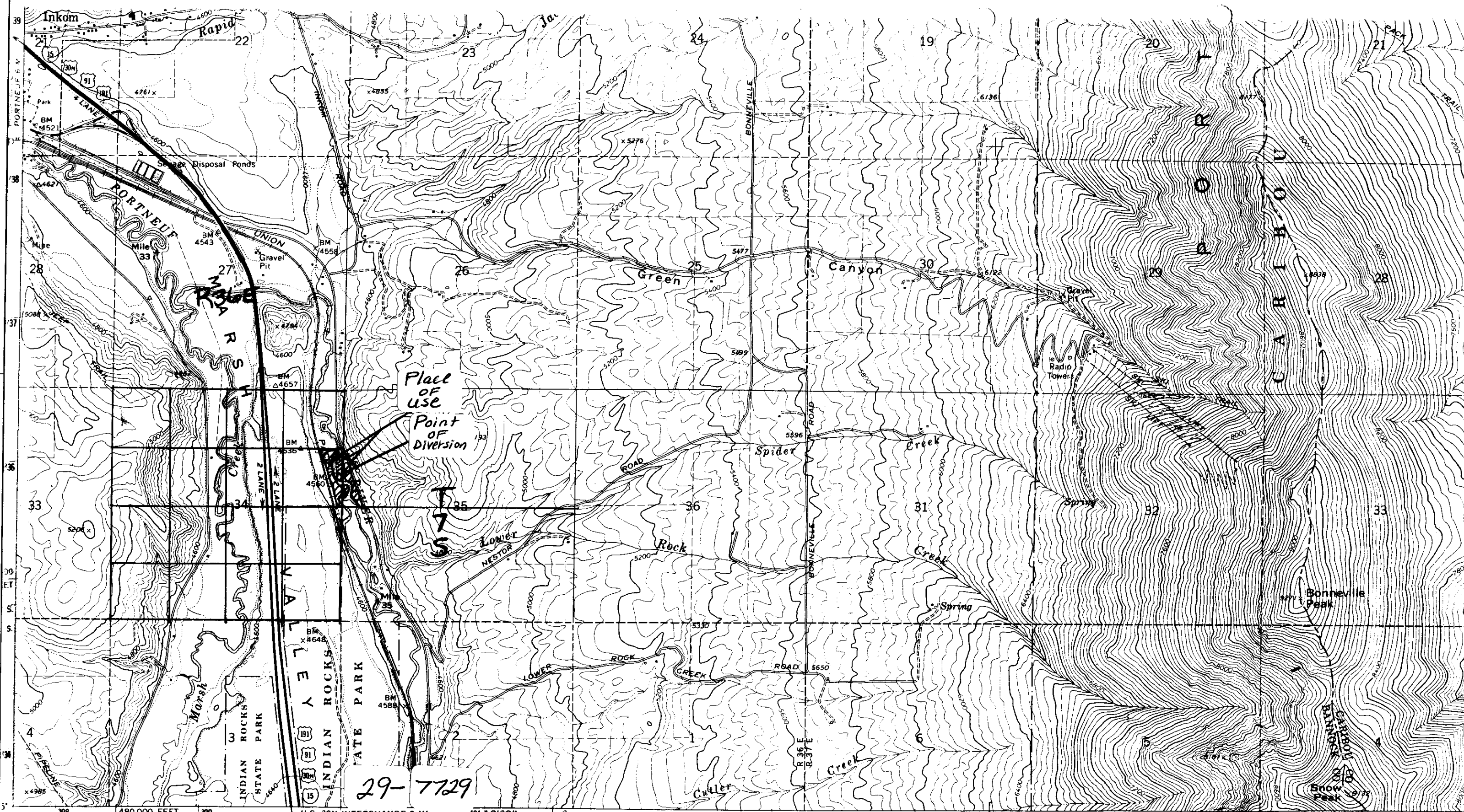
T572
#891
ARLEN LISH

25.8 HEL

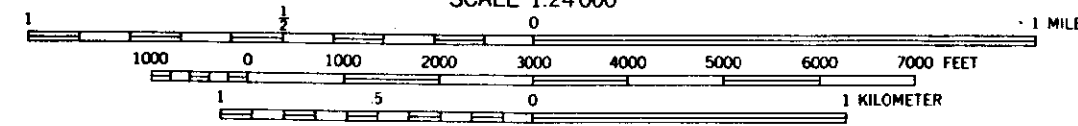
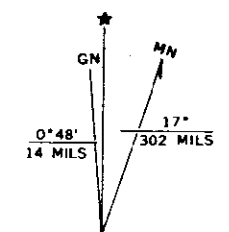
29-7729

34	35
----	----

35	36
2	1



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial
photographs taken 1967. Field checked 1968
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
east zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue



CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

ROAD CLASSIFICATION

Primary highway, hard surface	Light-duty road, hard or improved surface
Secondary highway, hard surface	Unimproved road
○ Interstate Route	○ U. S. Route
	○ State Route



April 18, 1990

IRVIN L. SPRAKER
INKOM, ID 83245

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07729

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

APR 19 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7729

Date: 4-18-1990

General Considerations:

9 Name same as permit
9 Signature the same as permit holder
9 Address change _____ If yes, prepare a data entry
9 Proof received timely _____
_____ Reinstated

Source of Water:

9 Surface water
9 Groundwater
W A 1. well log in file
W A 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

9 Rate of diversion appropriate for uses
9 Is rate or volume and fee appropriate?
9 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

9 Is a measuring device or access port required?
9 Has one been installed?
W A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 20, 1989

IRVIN L. SPRAKER
INKOM, ID 83245

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 29-07729

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

FILED

AUG 17 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: *KCW Wilson*

APPLICATION NUMBER: *29 7724*

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Fluted by: _____ Map to: _____
☒ Yes ☐ No Other rights on same place of use: *29-7209*
☒ Yes ☐ No* In form for advertising.
Final date for protests: *7-3-89*
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW.

- ☒ Affidavit of publication received. Date: *6-23-89*
☒ Application published correctly. If not, record action taken.
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? *29*
6-14-83 Date of priority recommended
Special conditions of approval or cover letter.

*Applicant may be required to rent storage water
at some time in the future should this area be
incorporated into WD 01*

*App. in NON-TRUST area
allow 2 yrs. to develop*

By: *HCS*
STATE OFFICE REVIEW.

Date: *7-6-89*

P01, P17

2605(29, Portneuf River) 48 49 01H

☐ See attached sheet for more information.

By: *KW*

Date: *7/18/89*

RECEIVED
JUL 07 1989

07-Jun-1989

Irvin L. Spraker
Rt. 1, Box 11080
Inkom, ID 83245

RE: Application for Permit No. 29-7729

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho State Journal. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MAIL ROOM
AUG 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 6, 1989

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 3, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 17 1989

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

AUG 17 1989

29-07729

SPRAKER, IRVIN L.
INKOM, ID 83245

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

Diversion Pt: SENE Sec 34 T 07S R 36E

Use: IRRIGATION (.200 CFS)

Date Filed: 6/14/1983

In: T07S R36E S34 SENE
 S35 SWNW

14.0 ACRES TOTAL

RECORDED

AUG 17 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JULY 3, 1989.

R. Keith Higginson, Director

Published 6/15/1989 & 6/22/1989

MICROFILMED
AUG 17 1989

RECEIVED

FORM

JUL 15 1985

STATE OF IDAHO

RECEIVED

JUN 28 1985

Department of Water Resources
Eastern District Office

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 29-7729 Filed 14 June 1983
Name(s) of Permit Holder: IRVIN & DON SPRAKER

Post Office Address: ROUTE 1 Box 11080
INKOM, Idaho 83245 Telephone No. 775-3410

Source of Water: PORTNEUF RIVER

Extent of Use: Domestic 0 (number of households)

Stockwater 12 Sheep (number and type of stock)

Irrigation 2 Horses (number and type of stock)
2 Cows (number and type of stock)
5 Now (acres) 9 in future

Other/Remarks in June 1982 I purchased 1/4 mil
4 in handline and a belly PTO driven pump.
Total cost was \$2070.10

Indicate the date water was first diverted and beneficially used under this permit: 26 June 1982

Measuring Device: Required? Yes ✓ No
Installed? Yes ✓ No

Flow Measurement Port: Required? Yes ✓ No
Required? Yes ✓ No

Person to contact to accompany the Department representative during field examination: IRVIN & SPRAKER

ROUTE 1 Box 11080 INKOM, Idaho 83245 775-3410
(Address) (Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

18 March 1985
Date

Irvin Spraker
Signature of Permit
(and Title, if appropriate)

AUG 17 1985

I request that I be dismissed under provision
7D. sw. Falls agreement.

INVOICE

No. 193

DATE 8/18/82

S
O
L
D

I
O

SHIP TO

CASH SALE

necessary to place this account in the hands of an attorney for collection, I agree to pay a reasonable attorney fee for its collection with or without suit.

NO MERCHANDISE TO BE RETURNED WITHOUT AUTHORIZATION

NFCB 6502
BANK DRAFT

DATE 6/21/82

ADDRESS

~~Defect~~ ^{Tire}

39

SUMMARY OF PURCHASES

2392

17 Dec 1982

92-421242

Pay to the
order of
Mid-Pacific Insurance Co. \$ 128.00
One hundred twenty eight and no/100 Dollars

PO BOX 1 FIRST NATIONAL BANK
MORRIS VELLONSTONE OFFICE
P.O. Box 2066
Preston, Idaho 83201



Change Log

0224007327
0074074007
0266000012800

$$\Omega_{\text{eff}} = \Omega + \frac{\dot{\phi}^2}{2H^2} - \frac{\ddot{\phi}}{H^3}$$

1. **Introduction**

The program is a true and certified copy of the document on file at the Department of Water Resources 77
 signed this 26th day of June 1985

Water Resources 77#
 85
 6/14/84
 6/14/84
 6/14/84

RECEIVED

JUN 28 1985

FORM B

Department of Water Resources
Eastern District Office

Please answer all questions fully if you believe that actual use or a substantial investment existed as of November 19, 1982, (\$15,000 or 25% of the estimated cost of the project):

SEE ACCOMPANYING LETTER!

Permit or Application Number: 29-7729

Name(s) of Permit Holder: IRVIN AND ORA

SPRAKER

Post Office Address: ROUTE 1 BOX 11080

INCOM Idaho 83245

Telephone No. (208) 775-3410

Indicate the date water was first diverted and beneficially used under this permit: 26 June 1982

1. As of November 19, 1982, had the sum of at least \$15,000 been spent on the purchase or construction of wells or on equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES _____ NO NO ✓

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure.

2. As of November 19, 1982, did there exist actual expenditures or written commitments for expenditures totaling at least \$15,000 for the purchase or construction of wells or of equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES _____ NO ✓

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure, or of written commitments for such purchase or construction.

3. Describe the irrigation project contemplated. For example, number of acres, number of wells or headgates, type of application system (gravel lines, center pivots, length and size of canals, laterals, etc.), number and size of pumps.

AUG 17 1984
I presently own 9 1/2 acres, but have agreed to buy 5 more acres adjoining my land if I can get water. I have all the equipment I need (purchased before Nov 1982) except for 4-5 sections of 4" line (about \$1600 cost).

Before Nov 1982, I had purchased \$2070.10
worth of equipment (ie 1/4 mile 4 in hard line,
1 PTO Driven Berkely Pump and 4 lateral 4 in pipes)

4. Describe how much of the project was completed
on or before November 19, 1982.

(at least 90% was completed,
100% unless I buy the adjoining
five acres)

5. What is the total estimated cost of the
irrigation project necessary to use water under the above
permit or application? (In figuring project cost, do not
include cost of land or engineering and feasibility studies).

\$2250

6. Did the total of the actual expenditures and
written commitments exceed 25% of the total projected cost as
of November 19, 1982?

YES ☒

NO ☐

I swear (or affirm) that the information stated above
is true and correct, to the best of my knowledge.

SUBSCRIBED and SWORN to before me this _____ day
of _____, 1985.

NOTARY PUBLIC FOR _____
Residing at: _____

WILSON
AUG 17 1989

29-2229_

SPRAKER, IRVIN L.

INKOM, ID 83245

Source: PORTNEUF RIVER trib. to SNAKE RIVER

Date Filed: 06/14/1983

Diversion Pt: SENE Sec 34 T 07S R 36E

Use: IRRIGATION (0.20 CFS)

In: SWNW Sec 35 T 07S R 36E SENE Sec 34 T 07S R 36E FOR 14 ACRES

MICROFILMED

AUG 17 1989